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8 **UNITED STATES DISTRICT COURT**

9 **EASTERN DISTRICT OF CALIFORNIA**
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11 **SABRAS ORTIZ MOJARRO,**

12 **Plaintiff,**

13 **v.**

14 **WILLIAM BARR, et al.,**

15 **Defendants.**
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Case No. 1:20-cv-00126-DAD-SAB

**ORDER REQUIRING PLAINTIFF TO SHOW
CAUSE WHY SANCTIONS SHOULD NOT
ISSUE FOR FAILURE TO COMPLY WITH
COURT ORDERS AND CONTINUING
SCHEDULING CONFERENCE**

SEVEN DAY DEADLINE

17 Plaintiff Sabras Ortiz Mojarro filed this action on January 22, 2020. (ECF No. 1.) On
18 January 27, 2020, Plaintiff's application to proceed *in forma pauperis* was granted and the
19 summonses and new case documents, including the order setting the mandatory scheduling
20 conference were issued. (ECF No. 6-9.) The mandatory scheduling conference was set for April
21 28, 2020. (ECF No. 9.)

22 On April 4, 2020, due to the pending scheduling conference, an order was filed requiring
23 Plaintiff to file either proof of service on Defendants or a notice of the status of service within
24 five days. (ECF No. 11.) More than five days have passed and Plaintiff has not complied with or
25 otherwise responded to the April 8, 2020 order.

26 Local Rule 110 provides that "[f]ailure of counsel or of a party to comply with these Rules
27 or with any order of the Court may be grounds for imposition by the Court of any and all
28 sanctions . . . within the inherent power of the Court." The Court has the inherent power to

1 control its docket and may, in the exercise of that power, impose sanctions where appropriate,
2 including dismissal of the action. Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir.
3 2000).

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. Within seven (7) days of the date of entry of this order, Plaintiff shall show cause
6 in writing why sanctions, up to and including dismissal of this action, shall not be
7 imposed for the failure to comply with the April 8, 2020 order;
- 8 2. The mandatory scheduling conference set for April 28, 2020 is CONTINUED to
9 July 21, 2020, at 3:00 p.m. in Courtroom 9; and
- 10 3. The parties shall file a joint status report seven (7) days prior to the continued date;
11 and
- 12 4. **Plaintiff is forewarned that the failure to show cause may result in the**
13 **imposition of sanctions, including the dismissal of this action for failure**
14 **comply and failure to prosecute.**

15 IT IS SO ORDERED.

16 Dated: April 14, 2020

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19 UNITED STATES MAGISTRATE JUDGE
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